



WWW.RIVKINRADLER.COM

JENNIFER ABREU

(516) 357-3218

jennifer.abreu@rivkin.com

926 RXR Plaza

Uniondale, NY 11556-0926

T 516.357.3000 F 516.357.3333

July 30, 2020

VIA ECF

Chief Magistrate Judge Roanne L. Mann
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Government Employees Insurance Company, et al., v. Wellmart Rx, Inc., et al.*
Case No.: 19-cv-04414 (KAM)(RLM)

Dear Chief Magistrate Judge Mann:

We are counsel for Plaintiffs (collectively, “GEICO”) in the above-referenced matter. We write jointly on behalf of Plaintiffs and Defendants Viviane Etienne, M.D. (“Dr. Etienne”) and Claudia Geris, P.A. (“Geris”) (collectively, the “Defendants”) with respect to the Court’s July 17, 2020 Order. Per the Court’s Order of July 17, 2020, Dr. Etienne was ordered to produce documents and any amended discovery responses on July 17, 2020. See Docket No. 87. Moreover, to the extent that Plaintiffs deemed the Defendants’ discovery responses insufficient, the Court advised Plaintiffs to re-new its motion to compel by July 30, 2020. Id.

We are pleased to advise the Court that Plaintiffs and Dr. Etienne have reached a settlement in principle in this matter. Accordingly, Plaintiffs and Dr. Etienne respectfully request a two-week extension of the deadline to renew Plaintiffs’ motion to compel so that the parties can finalize and execute the settlement agreement. The settlement agreement would resolve all claims against Dr. Etienne and render any further motion practice – solely with respect to Dr. Etienne – unnecessary.

Moreover, the undersigned and counsel for Geris conferred via telephone regarding the deficiencies in Geris’ discovery responses. After initially objecting to several document demands, Geris has agreed to produce additional documents in response to GEICO’s discovery demands. Accordingly, Plaintiffs and Geris also respectfully request a two-week extension of the deadline to renew Plaintiffs’ motion to compel so that Geris can produce additional documents to Plaintiffs as promised by counsel.

We thank the Court for its attention to the matter.

Very truly yours,

RIVKIN RADLER LLP

s/ *Jennifer Abreu*

Jennifer Abreu

CC: All counsel via ECF.

9 Thurlow Terrace
Albany, NY 12203-1005
T 518.462.3000 F 518.462.4199

21 Main Street, Court Plaza South
West Wing, Suite 158
Hackensack, NJ 07601-7021
T 201.287.2460 F 201.489.0495

477 Madison Avenue
New York, NY 10022-5843
T 212.455.9555 F 212.687.9044

2649 South Road
Poughkeepsie, NY 12601-6843
T 845.473.8100 F 845.473.8777